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SUBJECT: UN/SIERRA LEONE SPECIAL COURT: MANAGEMENT
COMMITTEE PREPARES FOR FEBRUARY 14-22 TRIP TO FREETOWN AND
THE HAGUE

REF: A. USUN 113
[B](#). STATE 11738
[C](#). 1/23/08 USUN-S/WCI E-MAIL

[1](#). (U) SUMMARY: S/WCI Deputy Milbert Shin and USUN/MR represented the U.S. at a February 7 meeting of the Sierra Leone Special Court Management Committee that focused on issues expected to be addressed during the Committee's upcoming February 14-22 trip to The Hague and Freetown. Shin and USUN/MR underscored the importance of conveying a strong Committee message to senior Court officials that donor resources are not limitless, and that every effort must be made to ensure the Court completes its remaining tasks on time, consistent with the benchmark dates identified in the recently circulated revised Court completion strategy. While in Freetown, Committee members will participate in a February 20-21 conference on residual issues. END SUMMARY.

REVISED COMPLETION STRATEGY
AND BUDGET

[2](#). (U) Management Committee members, including the U.S., spent the morning of February 7 discussing the Special Court's revised completion strategy and budget (copies e-mailed to S/WCI, L, AF, IO, Embassy Freetown and Embassy The Hague on 1/28 and 2/1, respectively). Shin, who will participate in the Committee trip to The Hague and Freetown, and USUN/MR joined others in raising concerns over the reliability of the projected completion dates for the ongoing trials and appeals - information that, if not accurate or realistic, will only signal further delays and the consequent need for additional contributions from donor states. Referencing comments made by Court Prosecutor Stephen Rapp when he met with Committee members in New York on January 22 (ref c), Dutch representative Brechje Schwachofer noted that the projected completion date of May 2008 for the RUF trial as reflected in the revised completion strategy was not realistic. Schwachofer said that Rapp had indicated the defense team in the RUF case still intended to call more than 100 witnesses. Consequently, the trial phase of the case would not be completed until July or August, perhaps later.

[3](#). (U) The problem with such inaccurate estimates, USUN/MR noted, was that donors, including the U.S., were basing their contributions on the expectation that the Court was nearing the end of its work. Every missed deadline undermined the Court's credibility, and made it more difficult to secure additional funding, especially given donor fatigue and increased demands for support from both the Lebanon and Cambodia tribunals. USUN/MR said it was essential that the Special Court identify realistic benchmarks which could be met or surpassed to reassure donors that meaningful progress was being achieved.

14. (U) Special Court New York representative Anthony Triola estimated that in view of recent pledges to the Court made by the UK (3 million BPS), Canada (5 million Canadian dollars), Germany (1.5 million Euros), Ireland (600,000 Euros), and France (500,000 Euros), the Special Court would have sufficient funds to sustain its work for an additional 7-8 months, through August-September 2008. If the U.S. contributes an amount similar to what was provided in recent years (i.e., \$13 million), the Court should have enough funds to carry its work through the rest of 2008, perhaps into early 2009. The revised Court budget projects expenses of \$36.1 million for 2008, \$23.4 million for 2009, and approximately \$8.7 million for 2010, by which time the trial and appeal phases of all the cases should be completed.

CONCERN OVER ONGOING
TENSIONS AMONG SENIOR
COURT OFFICIALS AND
STAFF MORALE

15. (U) Members of the Management Committee also discussed the contentious working relationship that reportedly still exists between Court President King, on the one hand, and Court Registrar von Hebel and Deputy Registrar Mansarray, on the other. Committee Chair Hugh Adsett (Canada) referenced a February 6 letter (copy e-mailed 2/7 to S/WCI, IO, AF, L, Emb. Freetown, Emb. The Hague) he had received on behalf from President King indicating that new procedures have been instituted at the Special Court to facilitate interaction and communication between the Court principals. In response to a question posed by USUN/MR, Sierra Leone Ambassador Kanu, who traveled to Freetown in January, reported that the situation

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at the Court seemed to have improved. In particular, Kanu cited improved cooperation between King and Deputy Registrar Mansarray (Note: Mansarray is Amb. Kanu's sister-in-law. End note). Committee members agreed that it was essential the Court principals resolve remaining differences and unite to complete the Court's mandate. Improvements in the working relationship among the Court leaders would help to improve overall morale among Court staff - a problem that has been plaguing Court operations for months. Committee members proposed that this issue be re-visited following the Committee's upcoming trip to Sierra Leone.

RESIDUAL ISSUES
CONFERENCE

16. (U) While in Freetown, Management Committee members will participate in a February 20-21 Conference on Residual Issues that will be faced by the Special Court as well as by the International Criminal Tribunal for the Former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR). The conference, being funded by the Canadian Government, will use as the basis for the discussion a paper entitled, "Options for Addressing Residual Functions After Physical Closure" of the Sierra Leone Special Court (copy e-mailed 2/5/08 to S/WCI, IO, AF, L, Emb. Freetown, Emb. The Hague) prepared by law professors at the University of Western Ontario in Canada. In addition to Committee members, other conference attendees likely will include representatives from more than twenty other nations.

17. (SBU) COMMENT: The constant challenge of securing sufficient Court financing has, for the moment, been temporarily addressed through the provision of enough pledges to fund Court operations through the summer of 2008. However, continued slippage in the completion benchmarks set forth in the most recent revised Court strategy, particularly through ongoing Court inefficiency, only will exacerbate ongoing fund-raising efforts, and require the continued diversion of resources to support the Court rather than to

rebuild Sierra Leone's infrastructure and economy. End
comment.

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